

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ROSAURI CAPPELLAN MENDOZA,

Plaintiff,

-against-

SHIBNAD LOGISTICS LLC,

Defendant.

21 Civ. 4410 (LGS)

ORDER

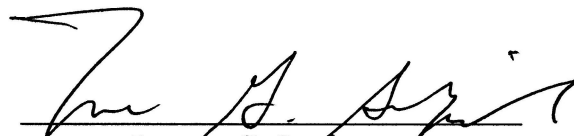
LORNA G. SCHOFIELD, United States District Judge:

WHEREAS, Defendant Shibnad Logistics LLC has filed a notice of removal removing civil action No. 803563/2021E from the Supreme Court of the State of New York, County of Bronx, on the basis of diversity jurisdiction pursuant to 28 U.S.C. § 1332(a)(1) (Dkt. No. 1).

WHEREAS, 28 U.S.C. 1441(b)(2) states that “[a] civil action otherwise removable solely on the basis of the jurisdiction under section 1332(a) of this title may not be removed if any of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought.” Defendant states that it is a citizen of New York State and was served on April 28, 2021. Accordingly, it is hereby

**ORDERED** that removal in this case is improper under 28 U.S.C. § 1441(b)(2). This case is remanded to the Supreme Court of the State of New York, County of Bronx.

Dated: May 19, 2021  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**